



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Kawula et al.

Title: ACTIVE FIXATION ASSEMBLY FOR AN IMPLANTABLE DEVICE

Docket No.: 279.688US1

Serial No.: 10/671,009

Filed: September 25, 2003

Due Date: N/A

Examiner: Scott M. Getzow

Group Art Unit: 3762

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 2 cited documents.

If not provided in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By

Atty: Catherine I. Klima-Silberg

Reg. No. 40,052

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14th day of February, 2005.

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

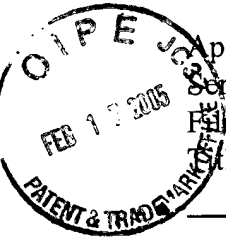
(GENERAL)

S/N 10/671,009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Kawula et al. Examiner: Scott M. Getzow
Serial No.: 10/671,009 Group Art Unit: 3762
Filed: September 25, 2003 Docket: 279.688US1
Title: ACTIVE FIXATION ASSEMBLY FOR AN IMPLANTABLE DEVICE



SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Several of the attached documents were discovered as a result of a Search Report in Applicants' corresponding foreign patent application. Enclosed for the Examiner's information is a copy of these cited documents and the Search Report.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

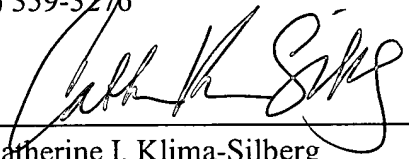
Respectfully submitted,

PAUL KAWULA ET AL.

By their Representatives,

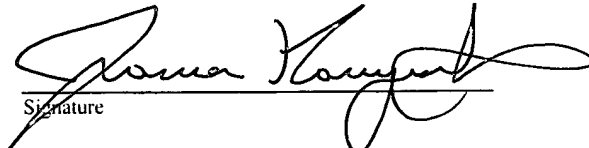
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Reg. No. 40,052

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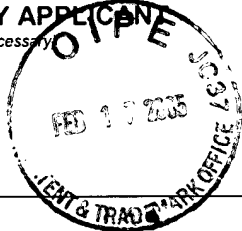
JAMES KAUYSIK
Name


Signature

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
 STATEMENT BY APPLICANT**

Use as many sheets as necessary.



Complete if Known

Application Number	10/671,009
Filing Date	September 25, 2003
First Named Inventor	Kawula, Paul
Group Art Unit	3762
Examiner Name	Getzow, Scott

Sheet 1 of 1

Attorney Docket No: 279.688US1

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-2004/0002692 A1	01/01/2004	Claude, Charles D., et al.	06/28/2002
	US-5,871,531	02/16/1999	Struble, C.	09/25/1997
	US-6,416,510	07/09/2002	Altman, P. A., et al.	10/13/1999
	US-6,478,776	11/12/2002	Rosenman, D. C., et al.	04/05/2000

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T ²
	EP-0414233A2	02/27/1991	DiDomenico, E. D., et al.	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"International Search Report for corresponding PCT Application No. PCT/US2004/031538", (January 24, 2005), 4 Pages	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER. Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached